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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

12 DONALD SHERMAN,

13 Plaintiff,

14 v.

15 HAROLD WICKHAM, in his personal  
16 capacity; KIM THOMAS, in his personal  
17 capacity; WILLIAM GITTERE, in his  
18 personal capacity and in his official capacity as  
19 Deputy Director of Operations of the Nevada  
20 Department of Corrections; BRIAN  
21 WILLIAMS, in his official capacity as Deputy  
22 Director of Programs of the Nevada  
23 Department of Corrections; WILLIAM  
24 REUBART, in his personal capacity and in his  
25 official capacity as Warden of Ely State  
26 Prison; DAVID DRUMMOND, in his official  
27 capacity as Associate Warden of Ely State  
28 Prison; and TASHEENA COOKE, in her  
official capacity as Associate Warden of Ely  
State Prison,

Defendants.

Case No. 3:21-cv-00168-ART-CSD

**ORDER APPROVING**

**STIPULATION TO EXTEND  
DEADLINE FOR FILING NOTICE  
RELATING TO PROPOSED  
RELIEF IN ACCORDANCE WITH  
THE COURT'S ORDER  
OVERRULING OBJECTIONS TO  
REPORT AND  
RECOMMENDATION (DKT. NO. 80)**

**(First Request)**

Hon. Anne R. Traum  
Hon. Craig S. Denney

**STIPULATION TO EXTEND DEADLINE FOR FILING NOTICE RELATING TO**  
**PROPOSED RELIEF**

On August 3, 2022, the Honorable Craig S. Denney issued a Report and Recommendation granting in part Plaintiff Donald Sherman’s Renewed Motion for Preliminary Injunction. *See* Dkt. No. 62. In that order, the Court recommended that the motion be granted and that “the parties should be directed to meet and confer regarding the specifics” of Mr. Sherman’s access to the sweat lodge, and that “[i]f the parties reach an agreement, they should be directed to file a stipulation with the court outlining their agreement within 21 days of the date of any order adopting and accepting this Report and Recommendation for the court’s approval.” *Id.* at 21.

On March 29, 2023, the Honorable Anne R. Traum issued an Order Overruling Defendants’ Objections to Magistrate Judge Denney’s Report and Recommendation. *See* Dkt. No. 80 (“Order”). In the Order, the Court ordered that the parties “meet and confer regarding the specifics of Sherman’s access to the sweat lodge,” and that within 21 days of that order, the parties should file “a stipulation outlining their agreement for the Court’s approval” or a notice indicating that they cannot reach an agreement. *Id.* at 17.

Following issuance of the Court’s March 29, 2023 Order, the parties have met and conferred regarding the specifics of Mr. Sherman’s sweat-lodge access, and their negotiations are ongoing.

To permit the parties to confer further regarding Mr. Sherman’s access, the parties stipulate, subject to the Court’s approval, to extend the deadline to file a stipulation relating to Mr. Sherman’s access or a notice relating to the parties’ efforts by 21 days—to May 10, 2023. This is the first stipulation to extend the deadline in the Court’s March 29, 2023 Order, and is being made in the interest of conserving the parties’ and the Court’s resources and avoiding unnecessary motion practice.

1 Respectfully submitted,

2 Dated: April 19, 2023

O'MELVENY & MYERS LLP

3 By: /s/ Daniel J. Tully

4 Daniel J. Tully

5 *Attorneys for Plaintiff Donald Sherman*

6 Dated: April 19, 2023

LAW OFFICES OF KRISTINA  
WILDEVELD & ASSOCIATES

8 By: /s/ Lisa A. Rasmussen

9 Lisa A. Rasmussen

10 *Attorney for Plaintiff Donald Sherman*

11 Dated: April 19, 2023

OFFICE OF THE NEVADA ATTORNEY  
GENERAL

13 By: /s/ Chris W. Davis

14 Chris W. Davis

15 *Attorney for Defendants Harold Wickham et al*

16 **IT IS SO ORDERED.**

17 Dated this 21st day of April, 2023.

18 

19 Anne R. Traum

20 United States District Court Judge